

REMARKS

Claims 1-22 are pending in this application, Claims 1-22 stand rejected. No Claims have been canceled, Claim 1 has been amended. Accordingly, Claims 1-22 are still pending in this application.

Drawings:

The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5). Applicants have enclosed herewith new drawings that are believed to correct the noted deficiencies in the previously submitted drawings.

In the Claims:

Claims 1, 3, 5-12, 14 and 16-22 are rejected under 35 U.S.C. 102(b) as being anticipated by Salerno et al. (WO 97/09015). Applicants respectfully traverse.

Salerno discloses a sanitary napkin having a stabilizing element in a central region of the napkin. As illustrated in Figure 1, the transverse ends of the stabilizing element have a slightly curved shape thus forming an arcuate bending zone along lines 50.

In contrast, the present claimed invention is directed to a sanitary napkin having opposed longitudinally extending side edges and a longitudinal axis and a preferential bending zone that extends obliquely to the longitudinal axis and which extends from one longitudinal side area to an opposite longitudinal side area of the sanitary napkin. It is respectfully submitted that the cited reference fails to disclose or fairly suggest a sanitary napkin having the above expedients. More particularly, the stabilizing element does not extend obliquely in relation to the longitudinal axis from one longitudinal side area to an opposite longitudinal side area. Applicants previously enclosed a definition of "oblique" as provided in The American Heritage College Dictionary, Third Ed. As defined therein, oblique is "situated in a slanting position, not transverse or longitudinal." The Patent Office has provided a

definition of "oblique" from The Patent Office has provided a definition of "oblique" Webster's Ninth New Collegiate Dictionary as "neither perpendicular nor parallel" which applicant's believe is consistent with "not transverse or longitudinal."

In order to more clearly define the present invention, Applicants have amended claim 1 to indicate that the preferential bending line extends obliquely from one longitudinal side area to an opposite longitudinal side area of the sanitary napkin and that the preferential bending line obliquely crosses the longitudinal axis in the center region. The stabilizing element in Salerno, while curved, has a tangent at the longitudinal centerline that is transverse or perpendicular to the longitudinal centerline as it crosses the longitudinal centerline. Accordingly, Salerno fails to teach a preferential bending zone that extends obliquely to the longitudinal axis from one longitudinal side area to an opposite longitudinal side area of the sanitary napkin. That is, at the longitudinal centerline of the Salerno sanitary napkin, the stabilizing element is not oblique. In view of the foregoing, Applicants respectfully submit that the present claimed invention is not anticipated by the cited reference.

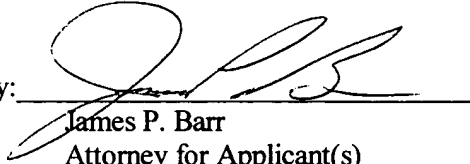
Claims 1-22 are provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1 and 3-18 copending Application No. 09/375,343, over claims 1-14 of copending Application No. 09/374,512, and over claims 1 and 4-19 of copending Application No. 09/477,244. Applicants note that this is a provisional rejection, and will consider filing a terminal disclaimer upon allowance of the copending application which is believed to obviate this provisional rejection.

Serial No. 09/375,045

Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

Respectfully submitted,

By: _____


James P. Barr
Attorney for Applicant(s)
Reg. No. 32,882

Johnson & Johnson
One Johnson & Johnson Plaza
New Brunswick, NJ 08933-7003
(732) 524-2826
Dated: January 10, 2002

VERSION WITH MARKINGS TO SHOW CHANGES

In the Claims:

Please amend the following claim:

Claim 1. (amended) A sanitary napkin for placement in a crotch portion of an undergarment of a wearer, said sanitary napkin having a main body with a longitudinal axis, two opposite longitudinal side areas and a central region intermediate said two opposite side areas, said sanitary napkin being characterized by a preferential bending zone on said main body extending obliquely [in relation to said longitudinal axis, said preferential bending zone extending] from one longitudinal side area of the sanitary napkin to an opposite longitudinal side area[,] and obliquely crossing the longitudinal axis of the sanitary napkin at said central region.